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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/098,279	06/16/1998	C. DOUGLASS THOMAS	ATC97-1	3931

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EXAMINER

VO, TUNG T

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 11/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/098,279

Applicant(s)

THOMAS ET AL. *TH*

Examiner

Tung T. Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,5,7-9,11-18,39-44,47-50 and 52-66 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

- 5) ☐ Claim(s) _____ is/are allowed.

- 6) ☒ Claim(s) 1,2,4,5,7-9,11-18,39-44,47-50 and 52-66 is/are rejected.

- 7) ☐ Claim(s) _____ is/are objected to.

- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 8, 39, 49, 53, and 58 have been considered but are moot in view of the new ground(s) of rejection.

It is noted that claims 32-38, 45-46, and 51 have been canceled.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 4-5, 7-9, 11-18, 39-44, 47-50, and 52-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pomerleau (US 5,091,780) in view of Crain (US 4,962,473) further in view of Yonezawa et al. (US 6,266,082).

Re claims 1, 2, 4-5, and 7, Pomerleau discloses a surveillance method for operating the camera station 1 (46 of fig. 3) to provide an captured image by a camera (46) to alarm unit (22 of fig. 3), wherein the method comprises the steps of receiving a surveillance image with a reference image from a local camera direction at the internal area of the building (46 of fig. 3), comparing the surveillance image with a reference image to produce a comparison result (38 of fig. 3), detecting presence of an activity condition (difference image from sensor 1) based on the

comparison result from the image comparator (38), notifying an interested user, where a scene is being detected by the camera (46), of the activity condition when the presence activity condition is detected by the alarm unit (22 of fig. 3), where the notification is sent or transmitted to alarm unit (22) to activate the VCR (42 of fig. 3) or other mission of live video of the scene over the network, the network buffer would also transmit the live video image to the VCR (42 of fig. 3), where comparison result exceeds the predetermined threshold (col. 5, lines 10-17), detecting the lack of the presence of the activity condition when the comparison result does not exceed the predetermined threshold (col. 4, lines 25-35).

It is noted that Pomerleau does not teach the notification includes email with specified address to be transmitted over Internet or network as specified in claim 1.

However, Crain teaches a security system (fig. 1) for transmitting video image with notification to the specified address (guard post) (10 and 11 of fig. 1) over the data network, wherein the notification is motion or intrusion actuators and a surveillance camera as shown in the figure 2 of Crain to capture the image; the security system has a function (col. 13, lines 65-68) to transmit an electronic mail message of a surveillance image to a remote computer (63, 64 of fig. 4) over the data network (51 of fig. 4).

Taking the teachings of Pomerleau and Crain as a whole, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Crain into the method of Pomerleau for the same purpose of transmitting the notification includes video image to the specified user address as suggested by Crain (col. 13, lines 33-68).

Doing so would allow the user to view a live image anytime at the remote location and reduce the cost of the system.

Re claims 8-9, 11-15, the combination of Pomerleau and Crain further teaches the camera, remote computer and local general computer (fig. 3) of Pomerleau. One skilled in the art would use the camera, remote computer, and local general computer to hook up in the same arrangement as claimed to make obvious the presently claimed system as suggested by Crain (figs. 1 and 14).

Re claims 16-18, Crain further teaches at least one sensor, the image and alarm status information to be forwarded over the network (LAN) to the remote computer (12 and 14 of fig. 2), where the image and the alarm are displayed on a display device (see figs. 7a-16).

Re claims 39-44, 47-50, and 52-66, the combination of Pomerleau and Grain teaches all limitations as described in the paragraph above, particularly Grain teaches a security system (fig. 1) for transmitting video image with notification to the specified address (guard post) (10 and 11 of fig. 1) over the LAN, where the notification is motion or intrusion actuators and a surveillance image captured by the camera (fig. 2). Therefore, it would obviously suggest the message including at least the current image captured by the camera (fig. 2) and the message is being transmitted to the remote computer in a form of an electronic message (email).

It is noted that the combination of Pomerleau and Grain fails to specifically disclose the step of transmitting a message over a global computer network to the remote computer; wherein the remote computer is an Internet server that stores image from a plurality of different cameras, and wherein the interested user is thereafter able to view at least certain of the images from the local camera by accessing the Internet server via a web browser application on user's computer as specified in claims 1, 53 and 58.

However, Yonezawa et al. does teaches an Internet server (Network, 100 of fig. 1) that inherently has a global computer network and stores image from a plurality of different cameras (10 of fig. 1), and wherein the interested user (60 of fig. 1) is thereafter able to view at least certain of the images from the local camera by accessing the Internet server via a web browser application on user's computer (figs. 4, 5, 6).

Taking the teachings of Pomerleau, Crain, and Yonezawa as a whole, it would have been obvious to one of ordinary skill in the art to modify the teachings of Yonezawa into the combination of Pomerleau and Crain for the same purpose of accessing the Internet server to view the images.

Doing so would allow the user to observe the current event that detected by the specified camera.

Since Pomerleau, Crain, and Yonezawa teach the systems for viewing the video image at the remote location with the notification, so they are combinable to make obvious the claimed invention.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung T. Vo whose telephone number is (703) 308-5874. The examiner can normally be reached on 6:30 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris. Kelley can be reached on (703) 305-4856. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Tung T. Vo
Examiner
Art Unit 2613

T. Vo
October 23, 2002


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
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